

TOWN OF FREDERICK, COLORADO
ORDINANCE NO. _____

**AN ORDINANCE OF THE TOWN OF FREDERICK COLORADO,
AMENDING THE TOWN OF FREDERICK MUNICIPAL CODE, 1992 THROUGH
ADOPTION OF REVISED TOWN UTILITY FEE COLLECTION PRACTICES;
AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.**

WHEREAS, the Board of Trustees of the Town of Frederick finds it necessary to amend the Town of Frederick Municipal Code, 1992, make the Code consistent with Town practices, repeal inapplicable and remnant provisions, and to clarify and improve public understanding of Town procedures.

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF
FREDERICK, COLORADO, AS FOLLOWS:**

Section 1. Subsection (c)(4)(i) of Section 13-73 (Utility Service Charges, delinquencies; remedies) of the Frederick Municipal Code, 1992 is hereby repealed in its entirety and readopted and enacted to read as follows:

“Sec. 13-73 Utility Service Charges, delinquencies; remedies.

...

(c)

...

(4) The Town may discontinue water service in the following manner:

(i) The Town shall send a written discontinuation notice to the record owner stating, absent timely full payment of delinquent service charges, water service to the property will be discontinued as of the first Tuesday of the month following the date of the notice.”

Section 2. Subsection (d) of Section 13-74 (**Water service charges**) of the Frederick Municipal Code, 1992 is hereby repealed in its entirety and readopted and enacted to read as follows:

“Sec. 13-74 (Water service charges)

...

(d) Process for water service billing and payment of water service charges. Water meter reading shall be completed the last week of every month. Water usage bills shall be mailed to the property owner on the first of every month. If the first of the month is on a Saturday, Sunday or Town-observed holiday, the water usage bill shall be mailed the next business day. All water usage bills shall be due and payable on or before the fifteenth of the month billed. If the water usage bill is not paid in full by the

twentieth of the billed month, or the next business day if the twentieth falls on a Saturday, Sunday or Town-observed holiday, a written late notice as required by law will be sent. The late notice due date shall be the first Tuesday of the month following the date of the late notice. Failure to pay any amount thirty (30) days or more past due by noon on the late notice due date will result in the water being turned off. If such date falls on a Town-observed holiday, the water shall be turned off the next business day. Water will not be restored until the day after all charges for the past due amounts are paid, including the restoration charge. If this day falls on a Saturday, Sunday or a Town-observed holiday, water will be restored on the next business day.”

Section 3. Effective date. This ordinance shall be published and become effective as provided by law.

Section 4. Severability. If any part, section, subsection, sentence, clause, or phrase of this ordinance is for any reason held invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 5. Repealer. All ordinances or resolutions and motions of the Board of Trustees of the Town of Frederick or parts thereof in conflict with this ordinance are, to the extent of such conflict, hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance, resolution or motion, nor revive any ordinance, resolution, or motion thereby.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED
THIS _____ DAY OF _____, 2009.

ATTEST:

TOWN OF FREDERICK

By _____
Nanette S. Fornof, Town Clerk

Eric E. Doering, Mayor